

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:13-CV-733-FL

ANTHONY MCNAIR,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
EASTERN DISTRICT NC FEDERAL)	
OFFICIALS,)	
)	
Defendants.)	

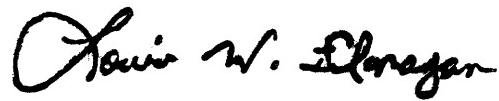
This matter comes before the court on memorandum and recommendation (“M&R) of Magistrate Judge William A. Webb, pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b), wherein it is recommended that plaintiff’s complaint must be dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2). The magistrate judge ordered plaintiff to particularize his complaint on October 21, 2013, and conducted frivolity review of a revised complaint filed October 29, 2013.

Absent a specific and timely filed objection, the court reviews a magistrate judge’s recommendation under 28 U.S.C. § 636(b) only for “clear error.” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005); Camby v. Davis, 718 F.2d 198, 200 (4th Cir.1983). In this case, the magistrate judge determined that plaintiff’s revised complaint failed to set forth sufficiently particularized facts to state a claim cognizable under law. (M&R at 2). In addition, the magistrate judge determined that plaintiff’s claims were frivolous because they sought relief against judicial officers and officials immune from suit. (M&R at 4). See In re Mills, 287 F. App’x 273, 279 (4th Cir. 2008).

Upon careful review of the M&R and of the record generally, having found no clear error, the court hereby ADOPTS the recommendation of the magistrate judge as its own, and, for the reasons stated therein, this matter is DISMISSED as frivolous pursuant to 28 U.S.C. § 1915(e)(2).

The clerk of court is directed to close the case.

SO ORDERED, this the 20th day of November, 2013.



LOUISE W. FLANAGAN
United States District Judge